

Morgan, Lewis & Bockius LLP  
1800 M Street, N.W.  
Washington, D.C. 20036-5869  
Tel. 202.467.7000  
Fax: 202.467.7176

**Morgan Lewis**  
C O U N S E L O R S   A T   L A W

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**APR 19 2002**

**TECHNOLOGY CENTER 2800**

**FAX MESSAGE**

**Send To:**

Name: Primary Examiner: James Phan

FAX Number: (703)-308-7722

Firm: USPTO

Telephone Number: (703) 308-4810

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**From:**

Name K. Karen Loewenstein

Floor: 4

Operator Sending:

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**Comments:**

Re: U.S. Patent Application No.: 09/613,742

Inventor: Masayoshi OKURA *et al.*

Attorney Docket No.: 046601-5053

**PLEASE STAMP AND RETURN TO SHOW RECEIPT OF:**

In re Application of: Masayoshi OKURA, et al.

Application No.: 09/613, 742

Group Art Unit: 2872

Filed: July 11, 2000

Examiner: J, PHAN

For: ROTARY DEFLECTOR, OPTICAL SCANNING UNIT  
AND IMAGE FORMING APPARATUS

1. Response to Species Election Requirement  
Transmittal Form
2. Response to Species Election Requirement  
mailed October 2, 2001

Dated: February 4, 2002

Attorney Docket No.: 046601-5053

KKL/XY

**DOCKETED**

By

Date

2/5/02

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APR 19 2002

Application No. 09/613,742  
Attorney Docket No. 048001-5053  
TECHNOLOGY CENTER 2800

Page 1

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Masayoshi OKURA, et al.

Application No.: 09/613,742

Filed: July 11, 2000

For: ROTARY DEFLECTOR, OPTICAL  
SCANNING UNIT AND IMAGE  
FORMING APPARATUS

Group Art Unit: 2872

Examiner: J. PHAN

Commissioner for Patents  
Washington, D.C. 20231**RESPONSE TO SPECIES ELECTION REQUIREMENT TRANSMITTAL FORM**

1. Transmitted herewith is a Response to the Species Election Requirement mailed October 2, 2001 (paper no. 4). Filed concurrently is a Petition for three-month extension of time, whereby response is due February 4, 2002 (please note that February 2, 2002 was a Saturday).
2. Additional papers enclosed.
  - ☐ Supplemental Information Disclosure Statement
  - ☐ Form PTO-1449, \_\_ references included
  - ☐ Citations
  - ☐ Declaration of Biological Deposit
  - ☐ Submission of "Sequence Listing", computer readable copy and/or amendment pertaining thereto for biotechnology invention containing nucleotide and/or amino acid sequence.

Application No. 09/613,742  
Attorney Docket No. 046601-5053  
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3. EXTENSION OF TIME

The proceedings herein are for a patent application and the provisions of 37 CFR § 1.136(a) apply.

- ☐ Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.
- ☒ Applicant petitions for an extension of time, the fees for which are set out in 37 C.F.R. 1.17(a)-(d), for the total number of months checked below:

| <u>Total months requested</u>                    | <u>Fee for extension</u> | <u>Fee for Small Entity</u> |
|--|--------------------------|-----------------------------|
| <input type="checkbox"/> one month               | \$ 110.00                | \$ 55.00                    |
| <input type="checkbox"/> two months              | \$ 380.00                | \$190.00                    |
| <input checked="" type="checkbox"/> three months | \$ 870.00                | \$435.00                    |
| <input type="checkbox"/> four months             | \$1,360.00               | \$680.00                    |
| <input type="checkbox"/> five months             | \$1,850.00               | \$925.00                    |

Extension of time fee due with this request: \$ 870.00

If an additional extension of time is required, please consider this a Petition therefor.

- ☐ An extension for \_\_ months has already been secured and the fee paid therefor of \$\_\_\_ is deducted from the total fee due for the total months of extension now requested.

4. Constructive Petition

- ☒ **EXCEPT** for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. § 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. § 1.136(a)(3).

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## 5. Fee Calculation

| CLAIMS AS AMENDED  |   |       |                                |                  |                       |            |
|--|---|-------|--------------------------------|------------------|-----------------------|------------|
|  | Claims<br>Remaining<br>After<br>Amendment |       | Highest No.<br>Previously Paid | Present<br>Extra | at Rate of            | Total Fees |
| Total Claims   | 12  | minus | 12                             | 0                | <u>0</u> x \$18 each= | + \$0.00   |
| Independent<br>Claims  | 03  | minus | 03                             | 0                | <u>0</u> x \$84 each= | + \$0.00   |
| <input type="checkbox"/> First presentation of Multiple dependent claim(s) |   |       |                                | 1                | \$270.00              | + \$0.00   |
| SUB-TOTAL =  |   |       |                                |                  |                       | \$0.00     |
| Reduction by 1/2 for filing by a small entity                              |   |       |                                |                  |                       | - \$0.00   |
| TOTAL FEE =  |   |       |                                |                  |                       | \$0.00     |

## 6. Fee Payment

☐ No fee is to be paid at this time.

☒ Please charge Deposit Account 50-0310 in the amount of \$870.00 for the three-month extension fee.

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☒ **The Commissioner is hereby authorized to charge any fees including fees due under 37 CFR § 1.16 and § 1.17 which may be required, or credit any overpayment to Deposit Account 50-0310.**

Respectfully submitted,

**MORGAN, LEWIS & BOCKIUS LLP**

By: 

K. Karen Loewenstein  
Registration No. 41,161

Dated: February 4, 2002

**CUSTOMER NO. 009629**  
**MORGAN, LEWIS & BOCKIUS LLP**  
1111 Pennsylvania Avenue, NW  
Washington, D.C. 20004  
202-739-3000